



General Assembly

February Session, 2016

## ***Amendment***

LCO No. 3958



\* H B 0 5 5 2 0 3 9 5 8 H D O \*

Offered by:  
REP. MEGNA, 97<sup>th</sup> Dist.

To: House Bill No. 5520

File No. 289

Cal. No. 213

### ***"AN ACT CONCERNING HOMEOWNERS AND MOTOR VEHICLE INSURANCE POLICIES."***

1 Strike sections 2 to 4, inclusive, in their entirety and insert the  
2 following in lieu thereof:

3 "Sec. 2. Subsection (a) of section 38a-343 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2016*):

6 (a) (1) No notice of cancellation of a policy to which section 38a-342  
7 applies shall be effective unless such notice is sent, by registered or  
8 certified mail or by mail evidenced by a certificate of mailing, or  
9 delivered by the insurer, to the named insured [,] and any third party  
10 designated pursuant to section 38a-323a, at least forty-five days before  
11 the effective date of cancellation, except that [(1)] (A) where  
12 cancellation is for nonpayment of the first premium on a new policy, at  
13 least fifteen days' notice of cancellation accompanied by the reason for  
14 cancellation shall be given, and [(2)] (B) where cancellation is for  
15 nonpayment of any other premium, at least ten days' notice of

16 cancellation accompanied by the reason for cancellation shall be given.

17 (2) Notwithstanding the provisions of subdivision (1) of this  
18 subsection, for a named insured to whom the insurer (A) has delivered  
19 or issued for delivery any such policy for three or more consecutive  
20 years, and (B) has not sent a notice of cancellation to the named  
21 insured or any third party designated pursuant to section 38a-323a  
22 within such time period, the notice required under subdivision (1) of  
23 this subsection shall be sent by registered or certified mail, return  
24 receipt requested, to the named insured and any third party  
25 designated pursuant to section 38a-323a, at least forty-five days before  
26 the effective date of cancellation. A policy that is transferred to an  
27 affiliate of the insurer in accordance with the provisions of subsection  
28 (d) of this section within such time period shall be deemed to be  
29 delivered or issued for delivery by the insurer. Nothing in this  
30 subdivision shall be construed to prohibit the insurer from cancelling a  
31 policy in accordance with this section if the return receipt fails to be  
32 signed or returned.

33 (3) No notice of cancellation of a policy that has been in effect for  
34 less than sixty days shall be effective unless mailed or delivered by the  
35 insurer to the insured and any third party designee at least forty-five  
36 days before the effective date of cancellation, except that (A) at least  
37 fifteen days' notice shall be given where cancellation is for  
38 nonpayment of the first premium on a new policy, and (B) at least ten  
39 days' notice shall be given where cancellation is for nonpayment of any  
40 other premium or material misrepresentation. The notice of  
41 cancellation shall state or be accompanied by a statement specifying  
42 the reason for such cancellation. Any notice of cancellation for  
43 nonpayment of the first premium on a new policy may be retroactive  
44 to the effective date of such policy, provided at least fifteen days'  
45 notice has been given to the insured and any third party designee and  
46 payment of such premium has not been received during such notice  
47 period.

48 Sec. 3. Section 38a-344 of the general statutes is repealed and the

49 following is substituted in lieu thereof (*Effective October 1, 2016*):

50 Proof of mailing by certified mail, return receipt requested, a notice  
51 of cancellation, or of intention not to renew or of reasons for  
52 cancellation, to the named insured, and any third party designated  
53 pursuant to section 38a-323a, at the address shown in the policy, shall  
54 be sufficient proof of notice for the purposes of subdivision (1) of  
55 subsection (a) of section 38a-343, as amended by this act."